

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE SECOND CIRCUIT**

NATIONAL LABOR RELATIONS BOARD,

Petitioner,

v.

GOWANUS STAFFING, INC.,

Respondent.

Docket No. 19-1990

Board Case No. 29-CA-208094

**ANSWER TO APPLICATION FOR ENFORCEMENT OF  
AN ORDER OF THE NATIONAL LABOR RELATIONS BOARD**

Respondent Gowanus Staffing, Inc. (“Gowanus”), by undersigned counsel and pursuant to Rule 15(b) of the Federal Rules of Appellate Procedure, hereby answers the application of Respondent National Labor Relations Board (the “NLRB”) for enforcement of its order under review herein, dated June 7, 2019 (the “Board’s Order”), as follows:

Gowanus admits that this Court has jurisdiction over this matter and that venue is proper in this Circuit. Gowanus denies, however, that the Board’s Order should be enforced. Gowanus asserts that the Board’s Order is not supported by substantial evidence, is arbitrary, capricious, an abuse of discretion, and otherwise not in accordance with the law and, consequently, it should not be enforced.

WHEREFORE, Gowanus, in answer to the application for enforcement by the NLRB, prays that the NLRB take nothing by its application, that such

application be denied in its entirety, and that the Court grant Gowanus such other and further relief as may be appropriate.

Dated: Jericho, New York  
July 22, 2019

Respectfully submitted,

/s/ Jeffery A. Meyer  
Jeffery A. Meyer  
David A. Tauster

**NIXON PEABODY LLP**  
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*Attorneys for Respondent  
Gowanus Staffing, Inc.*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on July 22, 2019, I electronically filed the foregoing Answer to Application for Enforcement of an Order of the National Labor Relations Board with the Clerk of the Court for the United States Court of Appeals for the Second Circuit using the CM/ECF system. Service was accomplished on all parties using the CM/ECF system.

Dated: Jericho, New York  
July 22, 2019

Respectfully submitted,

/s/ Jeffery A. Meyer  
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